

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

LOURDES COBARRUVIA,

Plaintiff,

vs.

SOCIAL SECURITY ADMINISTRATION  
 COMMISSIONER,

Defendant.

Case No. 2:14-cv-01184-JCM-NJK

**REPORT AND RECOMMENDATION**

Plaintiff Lourdes Cobarruvia is proceeding in this action *pro se*. Plaintiff submitted a Complaint on July 18, 2014. Docket No. 1-1. Because the Court granted Plaintiff's request to proceed *in forma pauperis*, the Court screened the Complaint pursuant to 28 U.S.C. § 1915(e)(2). Docket No. 2. The Court found that Plaintiff's Complaint failed to state a claim and allowed Plaintiff over thirty days, until September 8, 2014, to file an Amended Complaint. The Court indicated that "[f]ailure to comply with this Order will result in the recommended dismissal of this case, without prejudice." Docket No. 2 at 4. Plaintiff has neither filed an Amended Complaint nor requested an extension of time in which to file an Amended Complaint.

Accordingly, **IT IS THE RECOMMENDATION** of the undersigned United States Magistrate Judge that this case be **DISMISSED** without prejudice.

**NOTICE**

Pursuant to Local Rule IB 3-2 **any objection to this Report and Recommendation must be in writing and filed with the Clerk of the Court within 14 days of service of this document.** The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This Circuit has also

1 held that (1) failure to file objections within the specified time and (2) failure to properly address and brief  
2 the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues  
3 from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi*  
4 *Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

5 DATED: September 11, 2014.

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10 NANCY J. KOPPE  
11 UNITED STATES MAGISTRATE JUDGE  
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